

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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PATRICK ECKER,

Plaintiff,

v.

Case No. 07-C-371

WISCONSIN CENTRAL LTD,

Defendant.

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**ORDER**

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The defendant has filed a motion asking this court to order the plaintiff to appear for a medical examination in Milwaukee. Plaintiff has resisted the defendant's entreaties – including the offer to pay for a hotel for one night – on the basis that he is too infirm to make the long drive from his home in Wittenburg, Wisconsin.

The motion will be granted, with the proviso that the defendant is to pay the plaintiff's reasonable expenses in making the trip. That could mean the plaintiff may hire a driver or find some other reasonable means of transportation that would be more amenable to his injuries, or it could involve accepting the hotel stay that the defendant has already proposed. When a plaintiff brings a civil lawsuit alleging disability, it is not unreasonable to expect that the defendant may wish to retain a physician of its choice, so long as the distance involved is not excessive. Suffice it to say that this court is not going to become further involved in the kinds of scheduling and discovery disputes that are typically resolved in other cases without court intervention. The motion to compel

is **GRANTED**, and the defendant will be allowed one month following the examination in which to file any required expert reports.

**SO ORDERED** this 1st day of May, 2008.

William C. Griesbach  
William C. Griesbach  
United States District Judge